

DOCKET NO.: V0139.70050US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary E. Ward et al.
Serial No: 10/039,770
Confirmation No: 9181
Filed: November 9, 2001
For: TOXOPLASMA GONDII APICAL MEMBRANE
ANTIGEN-1
Examiner: Padmavathi Baskar
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 7th day of February, 2005.

Melissa L. Barlow Lyons
Melissa L. Barlow Lyons

MAIL STOP Issue Fee
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- **Statement of the Substance of the Interview**
- **Return Receipt Postcard**

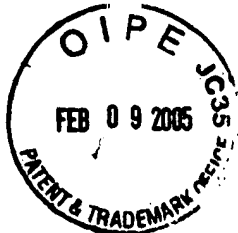
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Gary E. Ward et al., Applicant(s)

By: *Helen C. Lockhart*
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MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir:

In response to the Interview Summary and Examiner's Amendment mailed with the Notice of Allowance on January 6, 2005, Applicants' Representative provides herewith a Statement of the Substance of the Interview. The participants in the telephonic interview of December 8, 2004 were Examiner Padmavathi V. Baskar and Applicants' representative Helen C. Lockhart. Although Applicants object to the amendments to claims 1 and 25 by the Examiner that differ from the claim amendments agreed upon in the telephonic interview of December 8, 2004, Applicants accept the amendments to expedite allowance in the case. Applicants reserve the right to file one or more continuation application(s) that may include claims to subject matter removed from the claims by the Examiner's amendment.

Summary of Telephone Conference with Examiner

Examiner Baskar and Applicants' representative participated in a telephonic interview regarding Serial No. 10/039,770 on December 8, 2004. In the interview, pending claims 1, 2, 14, 23-26, and 38 were discussed along with new claim 40. Applicants submit that the following agreement was reached with regard to the claims:

Claim 1, line 2 delete "essentially of"

Claim 14, line 2 replace "adjuvant" with -- pharmaceutically acceptable carrier --

Claim 24, line 2 delete "or antigen-binding fragment of an antibody"

Claim 25, line 1 after antibody, delete "or"

Claim 25, line 2 delete "antigen-binding fragment"

Claim 25, line 2 replace "comprising about" with -- of--

Claim 40, add as a new claim: -- The composition of claim 14, wherein the composition includes an adjuvant. --

Conclusion

This Statement of the Substance of the Interview is filed in response to the Interview Summary and Examiner's Amendment mailed with the Notice of Allowance on January 6, 2005 for Serial No. 10/039,770. Applicants' representative disagrees with some of the claim amendments made by the Examiner and submits that Applicants' representative did not agree to all of the amendments of claims 1 and 25 set forth in the Examiner's amendment mailed January 6, 2005. Applicants' representative has summarized above herewith the content of the December 8, 2004 interview. Nonetheless, in order to expedite allowance of the case Applicants will accept the amendments described in the Examiner's amendment. Applicants reserve the right to file one or more continuation applications that may include claims to subject matter removed from the claims by the Examiner's amendment.

Respectfully submitted,
Gary E. Ward et al., Applicant(s)

By: 

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